

WARRICK COUNTY COUNCIL RESOLUTION NO. 1999-5

**A RESOLUTION CONFIRMING THE DECLARATION OF AN
ECONOMIC REVITALIZATION AREA FOR
PROPERTY TAX ABATEMENT**

WHEREAS, Ray R. and Nancy Ryan and Central Tower, Inc., have made application for Economic Revitalization Area designation pursuant to IC 6-1.2-12.1 et seq., and the Warrick County Council has passed Resolution 1999-5 (the "Tax Abatement Resolution") for the property located at 5688 Prospect Dr., Newburgh, Indiana 47630, Warrick County, Indiana and described as;

PT N ½ NW S19 T6 R8

as an Economic Revitalization Area.

WHEREAS, heretofore on the 8th Day of April 1999, under Resolution 1999-5 the Warrick County Council found the above-described property to meet the requirements of an Economic Revitalization Area pursuant to IC 6-1.1-12.1 et sec and declared said property to be an Economic Revitalization Area; and

WHEREAS, notice of the adoption and substance of the above-mentioned resolution has been published in accordance with IC 5-3-1 and the Warrick County Council has conducted a public hearing as of the date hereof to determine whether the qualifications for an economic revitalization area have been met;

NOW, THEREFORE, BE IT RESOLVED by the Warrick County Council as follows:

Section 1. The property which is located at 5688 Prospect Dr. Newburgh, Indiana 47630, Warrick County, Indiana and more particularly described above.

Section 2. Resolution 1999-4 which was adopted by the Warrick County Council on the 4th day of March 1999, is hereby confirmed.

Section 3. This Resolution shall be in full force and effect from and after its passage and execution by the Warrick County Council.

Passed this 8th day of April, 1999.

WARRICK COUNTY COUNCIL:

Chris Horn
Chris Horn, President

Ray McIntyre
Ray McIntyre

Raymond Bracher
Raymond Bracher

Art Callis
Art Callis

Gary Meyer
Gary Meyer

Greg Richmond
Greg Richmond

Tim Mosbey
Tim Mosbey

ATTEST:

Richard J. Kimmiller
Warrick County Auditor



APPLICATION FOR DEDUCTION FROM ASSESSED VALUATION New Manufacturing Equipment in Economic Revitalization Area

State Form 19338 (R8 / 11-91) Form 322 ERA/PP (adopted 1984 and prescribed by the State Board of Tax Commissioners)

The records in this series are CONFIDENTIAL according to IC 6-1.1-35.9

FORM
322 ERA/PP

INSTRUCTIONS:

1. This form is to be filed with the Auditor of the county in which "New Manufacturing Equipment" is located (IC 6-1.1-12.1).
2. This form is to be filed between March 1 and May 15 of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file the form between March 1 and June 14 of each year.
3. A deduction application must be filed in the year the new manufacturing equipment is installed and in each of the immediately succeeding years to obtain the full tax abatement which is available for each new layer of investment.
4. Attach copies of the current year and immediately preceding year BUSINESS TANGIBLE PERSONAL PROPERTY ASSESSMENT RETURN (Form 100).
5. A copy of the STATEMENT OF BENEFITS (Form SB-1) signed by the designating body must be attached to this application.
6. Form CF-1 MUST be filed with this application and the designating body showing compliance for all STATEMENT OF BENEFITS approved after July 1991. (IC 6-1.1-12.1-5.6)
7. A copy of the resolution must be attached to this application.
8. Please see IC 6-1.1-12.1 and 50 IAC 4.2-13 for further information.

SECTION 1:

TAXPAYER INFORMATION:

Name of taxpayer Ray R. & Nancy Ryan and Central Tower, Inc.		
Full address (street and number, city, state and ZIP code) 5688 Propect Drive Newburgh, IN. 47630		
County Warrick	Township Ohio	Taxing district Ohio
Name of contact person Larry W. Dean		Telephone number (812) 853-0595

SECTION 2:

ECONOMIC REVITALIZATION AREA DESIGNATION APPROVAL

The owner hereby applies to the County Auditor, pursuant to IC 6-1.1-12.1, for a deduction from the assessed valuation on the following "New Manufacturing Equipment" effective March 1, 19 _____.

Name of body designating the economic revitalization area		Resolution number
Date designation approved (month, day, year)	Date designation will terminate (month, day, year)	Does resolution limit dollar amount of deduction? <input type="checkbox"/> Yes <input type="checkbox"/> No
Description of equipment (use additional sheets if necessary)		Date installed (month, day, year)
		Cost \$

SECTION 3:

THIS SECTION MUST ONLY INCLUDE ELIGIBLE EQUIPMENT INSTALLED BETWEEN THE PRIOR ASSESSMENT DATE AND THE CURRENT ASSESSMENT DATE.

1. QUALIFIED CURRENT YEAR ACQUISITIONS	Cost Claimed	True Tax Value (TTV)
A. POOL NO. 1. Line 13 and 14	\$	\$
B. POOL NO. 2. Line 19 and 20		
C. POOL NO. 3. Line 28 and 29		
D. POOL NO. 4. Line 41 and 42		
2. TOTAL POOL TRUE TAX VALUE (TTV) (add A through D)		\$
3. TRUE TAX VALUE (TTV) AT 30% OF COST (if Line 57 Schedule A, Form 103 applies)		\$
4. OTHER (TTV OF CURRENT YEAR "SPECIAL TOOLING")	\$	
5. TOTAL TRUE TAX VALUE (TTV) (Line 2 or 3 (if 3 applies) Plus 4)		\$
6. ASSESSED VALUE AT 1/3 TTV OF LINE 5		\$
7. CURRENT YEAR TRUE TAX VALUE (TTV) (Line 66 Schedule A, minus Line 59 Schedule A)	\$	
8. ASSESSED VALUE OF CURRENT YEAR (1/3 of Line 7)		\$
9. PRIOR YEAR TRUE TAX VALUE (TTV) (Line 66 Schedule A minus Line 59 Schedule A)	\$	
10. ASSESSED VALUE OF PRIOR YEAR (1/3 of Line 9)		\$
11. LIMIT ON AMOUNT OF ABATEMENT (Line 8 minus Line 10)	\$	
12. LIMIT ON AMOUNT OF ABATEMENT STATED IN RESOLUTION (if applicable)	\$	
13. AMOUNT OF DEDUCTION CLAIMED (lesser of Line 6, 11 or 12)		\$



The records in this series are CONFIDENTIAL according to IC 6-1.1-35-9.

- INSTRUCTIONS:**
1. Property owners whose Statement of Benefits was approved after July 1, 1991 must file this form with the County Auditor and the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (This does not apply to property located in a residentially distressed area). (IC 6-1.1-12.1-5.6)
 2. If the deduction applies to Real Estate and Improvements, then this form must be filed with the initial deduction application and then annually within sixty (60) days after the end of each year in which the deduction is applicable.
 3. For New Manufacturing Equipment, this form must be filed with Form 322 ERA/PP between March 1 and May 15 of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between March 1 and June of each year.

SECTION 1 TAXPAYER INFORMATION	
Name of taxpayer Ray R. & Nancy Ryan and Central Tower, Inc.	
Address of taxpayer (street and number, city, state and ZIP code) 2444 Lakeridge Drive Newburgh, IN. 47630	
Name of contact person Larry W. Dean	Telephone number (812) 853-0595

SECTION 2 LOCATION AND DESCRIPTION OF PROPERTY		
Name of designating body Warrick County Council		Resolution number
Location of property Ohio Township	County Warrick	Taxing district Ohio
Description of real property improvements and/or new manufacturing equipment to be acquired Building addition (150'x70'), post frame warehouse (2) 40'x60', Leg welding fixture, welders, welding jigs, saws, grinders, drill press, iron worker		Estimated starting date March, 1999 Estimated completion date July, 1999

SECTION 3 EMPLOYEES AND SALARIES	As Estimated on SB-1	Actual
Current number of employees	48	
Salaries	1,260,000	
Number of employees retained	48	
Salaries	1,260,000	
Number of additional employees	30	
Salaries	600,000	

SECTION 4 COST AND VALUES	As Estimated on SB-1		Actual	
	Cost	Assessed Value	Cost	Assessed Value
Real Estate and Improvements				
Values before project	326,500	108,840		
Plus: Values of proposed project	325,000	108,333		
Less: Values of any property being replaced	-0-	-0-		
Net values upon completion of project	651,500	217,173		
Manufacturing Equipment				
Values before project	679,927	203,978		
Plus: Values of proposed project	166,000	49,800		
Less: Values of any property being replaced	-0-	-0-		
Net values upon completion of project	845,927	253,778		

SECTION 5 OTHER BENEFITS PROMISED BY TAXPAYER	As Estimated on SB-1	Actual

SECTION 6 TAXPAYER CERTIFICATION		
I hereby certify that the representations in this statement are true.		
Signature of authorized representative X	Title G.M.	Date signed (mo., day, yr.) 2/5/99

FOR USE OF THE DESIGNATING BODY

INSTRUCTIONS: (IC 6-1.1-12.1-5.9)

1. Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.
2. If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner for new manufacturing equipment, a copy of the written notice shall be sent to the State Board of Tax Commissioners.
3. Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits.
4. If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the County Auditor and (3) the State Board of Tax Commissioners.

We have reviewed the CF-1 and find that:

- ☐ the property owner **IS** in substantial compliance
- ☐ the property owner **IS NOT** in substantial compliance
- ☐ other (specify) _____

Reasons for the determination (attach additional sheets if necessary)

Chris How

Signature of authorized member

Chris How

Date signed (month, day, year)

04/09/99

Attested by:

Richard J. Kimmell

Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing

☐ AM ☐ PM

Date of hearing

Location of hearing

HEARING RESULTS (to be completed after the hearing)

☐ Approved

☐ Denied (see instruction 4 above)

Reasons for determination (attach additional sheets if necessary)

Signature of authorized member

Date signed (month, day, year)

Attested by:

Designating body

APPEAL RIGHTS (IC 6-1.1-12.1-5.9(e))

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.